CITY COUNCIL MEETING MINUTES
CITY OF SANTA MARIA, CALIFORNIA
SEPTEMBER 3, 2019 - CITY HALL COUNCIL CHAMBERS

INVOCATION
Patricia Torres of the Salvation Army gave the Invocation.

PLEDGE OF ALLEGIANCE
Councilmember Cordero led the Pledge of Allegiance.

CALL TO ORDER
Mayor Patino called the meeting to order at 5:30 p.m.

ROLL CALL:
MEMBERS PRESENT:
Mayor Alice Patino, Councilmember Michael Moats, Councilmember Mike Cordero, Councilmember Gloria Soto, and Councilmember Etta Waterfield

STAFF MEMBERS PRESENT:
City Manager Jason Stilwell, City Attorney Thomas Watson, Senior Planner Frank Albro, Solid Waste Manager Heriberto Cantu, Fire Chief Leonard Champion, Chief of Police Phillip Hansen, Director of Finance Mary Harvey, Planning Division Manager Ryan Hostetter, City Librarian Mary Housel, Chief Information Officer Jeffrey Marecic, Director of Public Works/City Engineer Kevin McCune, Director of Community Development Chuen Ng, Director of Recreation & Parks Alex Posada, Assistant City Manager Patrick Wiemiller, and Chief Deputy City Clerk Rhonda White

1 PROCLAMATIONS
There were no proclamations.

2 PUBLIC COMMENT PERIOD
Gary Hall, Roberta De Merit, Jamie Rodriguez, Judith Chumlea-Covan, Nancy Truby, Jackie Jones, Judy Robertson, Esther Jensen, Sue Kappa, Ed Bar, Andrea Mayfield, Mary Harrison, and Daniel Swanson spoke in support of a mobile home rent stabilization model plan.

Sara Macdonald, representing League of Women Voters, addressed the City Council.

Cathie Ortiz and Jennifer McMurrain thanked the City Council and staff for installing the bus stop on west Foster Road.

3 CONSENT CALENDAR
Councilmember Waterfield and Mayor Patino requested that Item 3C (Monterey Bay Community Power Authority) be pulled for a separate vote.

Consent Calendar Items 3A-3G were approved as presented, including the adoption of Resolution Nos. 2019-102 and 2019-103. The recorded vote appears with each item below.

A. Waive the reading in full of all Ordinances and Resolutions. Ordinances on the Consent Agenda will be adopted by the same vote cast at the first meeting, unless City Council indicates otherwise.

Action: Full readings waived.
Moved by Councilmember Waterfield, seconded by Councilmember Soto.
Motion carried. 5-0.

B. Approve the Minutes of the regular City Council meeting of August 20, 2019.

Action: Minutes approved as submitted.
Moved by Councilmember Waterfield, seconded by Councilmember Soto.
Motion carried. 5-0.

C. Conduct the second reading and adopt Ordinance No. 2019-06 authorizing the implementation of a community choice aggregation program by participating in Monterey Bay Community Power (MBCP) Authority's community choice aggregation program.

Action: Second reading was conducted, and authorization was granted to participate in Monterey Bay Community Power Authority's community choice aggregation program.
Moved by Councilmember Moats, seconded by Councilmember Cordero.
Motion carried. Adopted as Ordinance No. 2019-06. 3-2. Noes: Mayor Patino and Councilmember Waterfield.

D. Payment of Warrants. Ordered ratified subject to having been certified as being in conformity with the budget and having been approved for payment by the Director of Finance.

Action: Ratified.
Moved by Councilmember Waterfield, seconded by Councilmember Soto.
Motion carried. 5-0.

E. Payment of Payroll. Ordered ratified subject to having been certified by the proper Department Directors, as shown on records on file in the Department of Finance, and having been approved for payment by the Director of Finance.

Action: Ratified.
Moved by Councilmember Waterfield, seconded by Councilmember Soto.
Motion carried. 5-0.

F. Adopt a Resolution establishing a school crosswalk crossing and no-stopping zones at the eastern leg of the intersection of East Alvin Avenue and North Vine Street.

Action: School crosswalk crossing and no-stopping zones were approved at East Alvin Avenue and North Vine Street.
Moved by Councilmember Waterfield, seconded by Councilmember Soto.
Motion carried. Adopted as Resolution No. 2019-102. 5-0.

G. Adopt a Resolution establishing a mid-block crosswalk on West Foster Road between Foxenwood Lane and California Boulevard.

Action: Mid-block crosswalk on West Foster Road was approved on West Foster Road.
Moved by Councilmember Waterfield, seconded by Councilmember Soto.
Motion carried. Adopted as Resolution No. 2019-103. 5-0.

4 PUBLIC HEARING

A. **GENERAL PLAN LAND USE MAP AMENDMENT AND ZONE CHANGE FOR THE OAKLEY COURT APARTMENT PROJECT AT THE 800 BLOCK OF SOUTH OAKLEY COURT.** The City Council considered a recommendation of the Planning Commission to approve a General Plan Land Use Map Amendment **FROM** GI (General Industrial) **TO** HDR-22 (High Density Residential) and Zone Change (GPZ2019-0001) **FROM** PD/M-2 (Planned Development/General Manufacturing) **TO** PD/R-3 (Planned Development/High-Density Residential) for Gustavo Alvarez for a proposed 30-unit residential apartment complex on a 2.1 acre site at the 800 block of South Oakley Court.

On June 19, 2019, the Planning Commission considered the proposed project, but continued the meeting to July 17, 2019, with a request for more information related to noise impacts. On July 17, 2019, the Planning Commission on a 4-0-0-1 vote (Absent: Commissioner Seifert) adopted Resolution No. 2774 recommending that the City Council amend the General Plan Land Use Policy Map and Zoning Map. The Planning Commission also adopted a Mitigated Negative Declaration (Resolution No. 2773) for the project, and by motion approved the Oakley Court Apartment development plan (PD2019-0002) contingent on the approval of the General Plan amendment and zone change. The Planned Development Permit is being appealed by the applicant under a separate item on this agenda.

Senior Planner Albro gave the presentation as detailed in the Council Agenda Report.

Three written communications were received from L. Tom Mitchell, Anzur Logistics, and Lewis Brisbos Bisgaard Law Firm representing Santa Maria Valley Railroad opposing the Oakley Court project.

Public Hearing
Mayor Patino opened the public hearing at 6:29 p.m.

Yamile Otero and Felicia Valle spoke in favor of the Oakley Court project.

Tony Cochiolo, Anthony Cochiolo, Mario Juarez, Esq. (representing AC Warehouses, LLC), Rob Himoto (representing Santa Maria Valley Railroad), and David Pickett (legal counsel representing Santa Maria Valley Railroad) addressed the City Council opposing the Oakley Court Apartments project.

Having no other requests to speak, Mayor Patino closed the public hearing at 7:05 p.m.

Action: Adopt a Resolution approving a General Plan Land Use Policy Map amendment from General Industrial to High Density Residential for the Oakley Court Apartment Project (GPZ2019-0001) at the 800 block of Oakley Court.
Moved by Councilmember Soto, seconded by Councilmember Moats.
Motion carried. Adopted as Resolution No. 2019-104. 3-2. Noes: Mayor Patino and Councilmember Waterfield.

Action: Introduce an Ordinance for first reading, and continue to the next meeting for second reading and adoption, amending the Official Zoning Map from Planned Development/General Manufacturing to Planned Development/High-Density Residential for the Oakley Court Apartment Project (GPZ2019-0001) at the 800 block of Oakley Court.
Moved by Councilmember Soto, seconded by Councilmember Moats.
Motion carried. Introduced as Ordinance No. 2019-07. 3-2. Noes: Mayor Patino and Councilmember Waterfield.

B. **APPEAL OF PLANNED DEVELOPMENT PERMIT (PD2019-0002) FOR THE OAKLEY COURT APARTMENT PROJECT AT THE 800 BLOCK OF SOUTH OAKLEY COURT.** The City Council considered an appeal by Daniel D. Blough, for applicant Gustavo Alvarez, of the Planning Commission decision on the Oakley Court Apartments Planned Development Permit (PD2019-0002) at the 800 block of South Oakley Court in order to modify the Planned Development Permit conditions.

Senior Planner Albro gave the presentation as detailed in the Council Agenda Report. The applicant withdrew the portion of his appeal regarding air conditioner. Staff recommended that the City Council include an indemnity clause as an additional condition of approval to read: *"The applicant shall agree to defend, indemnify, and hold harmless the City of Santa Maria and/or its agents, officers, consultants, independent contractors, and employees from any and all claims, actions or proceedings against the City and/or its agents, officers or employees to attack, set aside, void or annul, the approval by the City of this project, and all actions relating thereto, including but not limited to environmental review, and legislative and discretionary actions. The applicant shall execute an indemnification agreement, in a form acceptable to the City Attorney, within fourteen calendar days of the City's action on the project."*

Gustavo Alvarez, Applicant, gave a PowerPoint comparing block walls in the City.

Public Hearing
Mayor Patino opened the public hearing at 7:48 p.m.

Mario Juarez, Esq. (representing AC Warehouse, LLC), Anthony Cochiolo, Rob Himoto (representing Santa Maria Valley Railroad) spoke in support of the Planning Commission's condition for 12 foot barrier wall versus the applicant's suggested 8 foot barrier wall.

Having no further requests to speak, Mayor Patino closed the public hearing at 7:55 p.m.

Action: Adopt a Resolution upholding the Appeal by Daniel D. Blough and modifying the decision of the Planning Commission by amending the conditions of approval of the Oakley Court Apartments Planned Development Permit PD2019-0002 at the 800 block of South Oakley Court.
Moved by Councilmember Waterfield, seconded by Councilmember Cordero.
Motion carried. Adopted as Resolution No. 2019-105 upholding the appeal by approving a condition of approval for the allowance of an 8 foot barrier wall, and the inclusion of the staff proposed indemnity clause as an additional condition of approval. 5-0.

5 REGULAR BUSINESS

A. **TENANT DISPLACEMENT ASSISTANCE.** The City Council considered proposed Tenant Displacement Assistance.

Public input
One written communication was received from the Grower Shipper Association in support of a tenant displacement assistance program.

Carlos Castaneda, Hazel Davalos, Francisca Vargas, and Gale McNeeley spoke in support of tenant displacement assistance.

Steven Battaglia, Clifford Rhea, Jerry Schmidt, and William Wagener spoke in opposition to tenant displacement assistance.

Action: Gather information and direct staff to return with an Ordinance for tenant displacement assistance.
Moved by Councilmember Soto, seconded by Councilmember Moats. Motion failed. 2-3. Noes: Mayor Patino, Councilmember Cordero, and Councilmember Waterfield.

Action: By consensus of the City Council, direction was given to staff to work with the local growers on parameters for providing tenant displacement assistance.

REPORT BY CITY MANAGER

City Manager Stilwell reported that a well-attended Town Hall had taken place on August 26th at the Christian Family Church on N. Suey. The next Town Hall will be held in the Northwest District. Mr. Stilwell also acknowledged that Assistant City Manager, Patrick Wiemiller, would be retiring on September 12th. The next regular City Council meeting is scheduled for September 17, 2019. Items on the agenda will include a cross walk at Donovan Road and North Western Avenue, the Chamber of Commerce Annual Report, and the CDBG Priorities and Citizen Participation Plan. On September 30, there will be an evening Community Water Awareness presentation by CCWA.

ORAL REPORTS OF COUNCILMEMBERS AND OFFICERS (INCLUDING AB1234 REPORTS)

Councilmember Cordero reported he attended a planning meeting with CEC; a United Way strategy session; Downtown Fridays; the memorial service for Commander Greene; a walk to raise awareness for human trafficking; and the Town Hall meeting.

Councilmember Moats reported he attended Fire Department interviews and the recent Town Hall meeting. He also requested that the mobile home rent control issues be resolved soon.

Councilmember Waterfield reported she attended Fire Department interviews; a tour at Vandenberg Air Force Base; the first Annual At-risk Youth event; the memorial service for Commander Greene; a water rates update presentation; and a CCWA meeting.

Councilmember Soto reported she attended Downtown Fridays and the recent Town Hall.

Mayor Patino reported she attended Fire Department interviews; a Fighting Back Santa Maria Valley Board meeting; Downtown Fridays; participated in Serve Santa Maria; Concerts in the Park; the memorial service for Commander Greene; the Town Hall meeting; a couple of Rotary Meetings; the CCLC Strawberry Social fundraiser; a Marian Board of Directors meeting; and a water rates update presentation.

ADJOURNMENT

There being no further business before the City Council, Mayor Patino declared the City Council meeting adjourned at 9:35 p.m. in memory of retired Santa Maria Police Commander Kendall Greene.

Approved at a regular meeting on September 17, 2019.

Rhonda M. White, CMC
Chief Deputy City Clerk and ex officio Clerk
of the City Council

ATTEST:

9/24/2019

Rhonda M. White, CMC
Chief Deputy City Clerk

Alice M. Patino
Mayor of the City of Santa Maria